

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

## RIPPY OIL CO.

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CIVIL ACTION NO.

VS.

§ 4.22-cv-00276

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ACE AMERICAN INSURANCE CO.,  
CHARTIS SPECIALTY INSURANCE  
CO., RISK SPECIALISTS COMPANIES  
INSURANCE AGENCY, INC

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE  
PLEADINGS**

Defendant, ACE American Insurance Company (“ACE”), respectfully requests the entry of an order extending the time within which ACE must file responsive pleadings or otherwise plead to Rippy Oil Co.’s Plaintiff’s Original Petition [Doc. 1-2] (hereinafter “Petition”), and in support hereof states as follows:

1. ACE was served with the Petition filed in the District Court of Harris County, Texas, under Docket 2021-83799/Court 133 on January 11, 2022.
  2. Notice of Removal of this matter to this court was filed on January 27, 2022, making ACE's response deadline February 3, 2022 under Fed. Rule Civ. Pro. 81(c)(2)(C).
  3. ACE requires a short, seven (7) day extension of time, up to and including February 10, 2022, to investigate defenses and to file responsive pleadings to the Plaintiff's Original Petition.
  4. All counsel of record have been contacted and they have no opposition to the relief sought herein.

5. There is good cause for the extension of time. Defendant needs further time to analyze the allegations made in the Petition, which includes a breach of contract claim, a request for declaratory relief and includes as attachments numerous exhibits from a previously litigated matter, in order to appropriately respond.
6. The requested extension will serve the purposes of substantial and procedural due process.
7. There is no scheduling order, and an extension will not interfere with the time set for completion of discovery, for hearing a motion, or for trial.

Wherefore, premises considered, ACE respectfully requests that this Honorable Court enter an Order granting it a seven (7) day extension of time, up to and including February 10, 2022, to file responsive pleadings to Rippy Oil Co's Petition.

Respectfully submitted,

/s/ Michael A. Varner

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**Attorney for Defendant ACE**  
**American Insurance Company**

**CERTIFICATE OF CONFERENCE**

I certify that counsel for ACE American Insurance Company have conferred with all counsel of record, who have indicated they have no opposition to this Unopposed Motion for Extension of Time to File Responsive Pleadings.

*/s/ Michael A. Varner*  
Michael A. Varner

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3<sup>rd</sup> day of February, 2022 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

*/s/ Michael A. Varner*  
Michael A. Varner